

IN THE UNITED STATES DISTRICT COURT FOR THE
FOR THE DISTRICT OF DELAWARE

ROCEP LUSOL HOLDINGS LIMITED)	
)	
Plaintiff and Counterclaim defendant,)	
)	
v.)	Civil Action No. CV-05-141(KAJ)
)	
PERMATEX, INC. and)	
ULTRAMOTIVE CORPORATION)	
)	
Defendants)	
)	
)	
)	

STIPULATION AND ORDER CONTINUING CASE SCHEDULE

THE PARTIES HEREBY STIPULATE, by and through their respective counsel,
to the matters set forth below based on the following:

1. This is a patent infringement action. Defendants have counterclaimed non-infringement and invalidity.
2. On October 6, 2006, the Court entered a Scheduling Order which set forth, *inter alia*, dates for briefing on issues of claim construction and for case dispositive motions.
3. Pursuant to this Scheduling Order, the parties have briefed the Court on claim construction issues and on their respective motions for summary adjudication.
4. The parties completed their briefs for the Court on issues relating to claim construction on June 30, 2006.
5. Plaintiff moved the Court for summary judgment of infringement on June 30, 2006. Briefing on this motion was completed by August 4, 2006.

6. Defendants moved the Court for summary judgment of non-infringement and invalidity on June 30, 2006. Briefing on these motions was completed by August 4, 2006.

7. On August 15, 2006, the Court heard oral argument on claim construction and on the motions for summary adjudication. As of the date of this submission, the Court has not issued its opinion on the claim interpretation nor ruled on the summary judgment motions.

8. Pursuant to the Scheduling Order, the parties are presently required to file a joint proposed pretrial order on or before November 20th, 2006.

9. Pursuant to the Scheduling Order, the Court will hold a Final Pretrial Conference on December 18, 2006 at 4:30 p.m.

10. Pursuant to the Scheduling Order, the parties are required to file proposed jury instructions, jury interrogatories, *voir dire* and special verdict forms three full business days prior to the Final Pretrial Conference.

11. Pursuant to the Scheduling Order, this matter is scheduled for a five day jury trial beginning at 9:30 am on January 22 through January 26, 2007.

12. In order to give the Court sufficient time to issue its opinion on claim interpretation and rule on the summary judgment motions, and to give the parties sufficient time to prepare the joint proposed pretrial order after the Court's ruling, the parties desire to extend the time for filing of the joint proposed pretrial order until December 11, 2006.

WHEREFORE, the parties stipulate to the following and hereby request that the Court enter the following revision to the schedule:

1. The parties will file with the Court the joint proposed pretrial order with the information required by the form of the Final Pretrial Order on or before December 11, 2006.

Date: October 16, 2006

Respectfully submitted,



ROBERT E. CANNUSCIO, admitted *pro hac vice*
Drinker Biddle & Reath LLP
One Logan Square, 18th & Cherry Streets
Philadelphia, PA 19103-6996
Tel.: 215-988-3303
fax: 215-988-2757



LLOYD MCAULAY, admitted *pro hac vice*
STEPHEN M. CHIN, admitted *pro hac vice*
Reed Smith LLP
599 Lexington Avenue
New York, NY 10022
Tel. (212) 521-5400
Fax: (212) 521-5450

DAVID P. PRIMACK (#4449)
Drinker Biddle & Reath LLP
1100 North Market Street, Suite 1000
Wilmington, DE 19801-1254
Tel. 302-467-4224
Fax: 302-467-4201

THAD BRACEGIRDLE (No. 3691)
Reed Smith LLP
1201 Market Street, Suite 1500
Wilmington, DE 19801
Tel. (302) 778-7500
Fax (302) 778-7557

Counsel for
ROCEP LUSOL HOLDINGS LIMITED

Counsel for
PERMATEX, INC. and
ULTRAMOTIVE CORPORATION

IT IS SO ORDERED:

Dated: _____

Honorable Kent A. Jordan
United States District Court
District of Delaware